

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

AMERICAN NATIONAL PROPERTY AND CASUALTY COMPANY,)
)
)
 Plaintiff,)
)
)
 v.)
)
 CAMPBELL INSURANCE, INC., et al.,)
)
 Defendants.)


**Case No. 3:08-cv-00604
Judge Trauger**

ORDER

For the reasons expressed in the accompanying Memorandum, the Motions for Summary Judgment filed by plaintiff American National Property and Casualty Company (Docket Nos. 402 and 406) are **DENIED**. The Motion for Summary Judgment filed by Campbell Insurance Inc., Tommy Campbell, Marsha Colleen Campbell, and A 2 Z Insurance, Inc. (Docket No. 393) is **GRANTED IN PART** and **DENIED IN PART**; the defendants will be allowed to introduce evidence regarding offsetting benefits at trial, and the breach of contract claim against Marsha Colleen Campbell is hereby **DISMISSED**. The Motion for Summary Judgment filed by Liberty Mutual Insurance Co. and Montgomery Mutual Insurance Co. (Docket No. 397) is **GRANTED IN PART** and **DENIED IN PART**, and the Tennessee Consumer Protection Act (“TCPA”) claim against those defendants is hereby **DISMISSED**. The Rule 56(d) Motion filed by the plaintiff (Docket No. 425) is **DENIED**, and the request by Liberty Mutual Insurance Co. and Montgomery Mutual Insurance Co. for attorney’s fees regarding the TCPA claim against them (*see* Docket No. 455) is **DENIED**.

It is so Ordered.

Entered this 27th day of June 2011.



ALETA A. TRAUGER
United States District Judge